

5417. **Adulteration and misbranding of apple cider. U. S. * * * v. Jones Bros. & Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7968. I. S. Nos. 21206-m, 21207-m.)**

On April 24, 1917, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jones Brothers & Co., a corporation, Portland, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 27, 1916, and July 14, 1916, from the State of Oregon into the State of Washington, of quantities of an article labeled in part: "Pure Apple Cider" and "Pure Sweet Apple Cider," respectively, which was adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed, respectively, the following results:

	No. 1.	No. 2.
Alcohol (per cent by volume)_____	1.85	1.42
Solids by drying (per cent by weight)_____	6.18	7.54
Nonsugar solids (per cent by weight)_____	1.10	1.12
Sucrose by copper (per cent by weight)_____	2.97	3.62
Reducing sugar before inversion (per cent by weight)_____	2.11	2.80
Ash (per cent by weight)_____	0.13	0.11
Sugar equivalent of alcohol (approximate per cent by weight)_____	3.93	3.0
Total sugar found (per cent by weight)_____	5.08	6.42
Total sugar in original cider (estimated) (per cent by weight)_____	9.01	9.42

Analyses indicate product to be diluted and partially fermented cider, of which not less than one-third its volume is added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for pure apple cider (or pure sweet apple cider), which the article purported to be.

Misbranding was alleged for the reason that the statement appearing on the labels, regarding the article and the ingredients and substances contained therein, to wit, "Pure Apple Cider" (or "Pure Sweet Apple Cider"), was false and misleading in that it represented that the article was pure apple cider (or pure sweet apple cider); and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple cider (or pure sweet apple cider), whereas, in truth and in fact, it was not, but was, to wit, a mixture of apple cider and water.

On April 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*